

*Village of Fall Creek*  
*Minutes for Regular Village Board Meeting*  
*February 13, 2023*

1. **Call to Order:** 6:00 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Village President Tim Raap, Trustees Ryan Aylesworth, Chester Goodman, Karen Herbison, Karen Hurd, Sheena Kaatz, Matt Mattoon. Members Absent: None. Staff Present: Village Administrator/Public Works Director Jared McKee. Staff Arriving Later: Clerk/Treasurer Renee Roemhild. Also Present: 4 citizens.
3. **Pledge of Allegiance**
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and the agenda was posted at the three public places and local newspapers were notified.
5. **Adopt Agenda:**
  - MOTION (Kaatz/Herbison) to adopt the agenda as printed. PASSED, without negative vote.
6. **Recognition of Visitors/Citizen Input**
  - A. **68<sup>th</sup> District State Assembly Representative:** Assembly Representative Karen Hurd gave an overview of what has been happening at the State level.
7. **Approval of Minutes:**
  - MOTION (Kaatz/Aylesworth) to approve the 1/9/23 Regular Board, 1/12/23 Finance, Personnel & Economic Development Committee, 1/31/23 Special Board, 2/2/23 Plan Commission, and 2/6/23 Community Relations, Recreation & Public Health Committee meeting minutes. PASSED, without negative vote.
8. **Financial Report:**
  - MOTION (Mattoon/Aylesworth) to approve the 12/31/2022 and 1/31/2023 Budget Comparison Report. PASSED, roll call vote: Goodman-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes. Clerk-Treasurer Renee Roemhild arrived at this point.
9. **Approval of Bills:**
  - MOTION (Mattoon/Aylesworth) to accept the Invoice Listing and Payroll Pay Summary Reports of 1/10/23-2/13/23. PASSED, roll call vote: Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes, Goodman-yes.
10. **Report of Village Administrator:** Administrator Jared McKee gave his monthly report highlighting the departmental duties accomplished since the last regular board meeting.
11. **Committee Reports**
  - A. **Finance, Personnel & Economic Development Committee:** Committee Chairperson Tim Raap reported they mainly talked about the Randall Road capital project and worked on the Asset Management Plan.
  - B. **Community Relations, Recreation & Health Committee:** Committee Chairperson Karen Hurd stated there was nothing further to report that was not in the minutes.
12. **Unfinished Business**
  - A. **Update re: Aerating Fountain at Fall Creek Pond:** McKee stated the purchase of the fountain has now been paid for with the generous contribution from Luther Strasburg. There will still be an expense for the electrician, which Luther's donation will cover as well.
  - B. **Clarification of Property Ownership and Maintenance Responsibilities Eagles Nest System Equipment:** Trustee Karen Hurd recused herself and spoke as a citizen, explaining she is proposing having her business donate a camera system for the eagle's nest that was installed on the north side of the pond in Keller Park. She has already purchased the equipment and as her building has the direct line-of-site necessary to enable the radio signal, she is willing to have it installed in her building and pay the monthly internet fees. If she sells her building in

the future, which she has no current plans to do, she will uninstall the equipment and give it to the Village. The Board thanked her for her generous donation.

- MOTION (Mattoon/Kaatz) to accept the donation as listed in her letter. PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes, Goodman-yes, Herbison-yes.

C. **Financing Strategy for Randall Road Capital Project:** President Raap stated we talked about some of the rough numbers at budget time, estimating how much money we thought would be available for a capital project. Administrator McKee reported on the Village's cash after audit and talked about the cash management strategies specified by previous Village Boards, as adopted by resolutions.

These resolutions are for the purpose of directing the management of Village finances. McKee stated one such resolution states *Undesignated Operational Cash* is to be set at 25% of the budget, which should facilitate proper cash flow and eliminate the need to use short-term borrowing to pay operational bills. McKee explained revenues do not come in on a monthly basis, but expenses have to be paid when due so there needs to be a sufficient balance on hand in order to meet our obligations in a timely manner. He stated a good example showing this need is *State Shared Revenue*. We do not receive the majority of our Shared Revenue until November. It is a significant amount of money for our budget, but it is not available for us to use to pay bills during the first 10 months of the year. Hence, there must be enough money in an account to cover us when expenses have to be paid before revenues are received. McKee stated the *Designated Working Capital* account is a basically a "rainy-day" fund and by resolution, this is to be maintained at 20%. Also, another cash management policy defined by resolution is that general budgeted excess revenues over expenditures at year-end are to be transferred to *Capital Projects* to offset borrowing needs for future capital needs. This strategy wisely earmarks that money to a needed purpose rather than leaving it undesignated.

McKee detailed the cash available in each account at 12/31/2022:

<b>General Fund</b>		
Operational	766,329	This included property tax revenue for other taxing jurisdictions as well. We "settle" with them in January, paying them their share of the taxes.
Designated Working Capital	166,000	We can spend this money if we have a short fall. We have had this happen in the past where we didn't have enough cash on hand and had to dip into our rainy-day fund.
Police Special Revenue	2,269	This is a small account to be used solely for police department needs. The money comes from things like grants for equipment needs or donations for National Night Out.
<b>Library Fund</b>		
Operational	28,214	Same idea as listed in resolution.
Designated Working Capital	12,500	Same idea as above.
Reserve	18,763	This is basically for unbudgeted expenditures such as new shelving or couches, etc. It is a fund the Library Board controls for their needs.
<b>Inland Lake</b>	68,791	This can only be spent for Inland Lake needs, such as dredging and maintaining the pond.
<b>Debt Service</b>	7,809	We use this fund to run all of our debt payments through.
<b>Capital Projects Funds</b>		
Undesignated	517,259	This money is undesignated but some of the money is committed. For example, we have commitments related to our current developer's agreement and we have budgeted for some chip sealing of Village streets and park improvements in 2023. Otherwise, there is money available in this fund to be used for capital projects like the Randall Road project.
Ziemann Bequeath	91,839	We've talked about how we'd like to spend this.

ARPA Funds	135,376	We've talked about how we'd like to spend this.
<b>TIF Districts</b>		
TID #1	-6,492	You'll notice that TID #1 is running a deficit. We just applied for and got approved by the Joint Review Board to extend the life of this TIF which will allow us to get the needed revenue before the TIF closes.
TID #2	304,698	We actually have some balance here so when we talk about extending the road in the Industrial Park, this is where the money will come from.
<b>Capital Equipment Repairs (C.E.R.)</b>	311,487	When we talk about the public works truck that we budgeted for this year, this is the money that will pay for it. Per resolution, we try to pay for items like trucks, dump trucks, loaders, police vehicles, mowers, major building repairs, etc. with cash rather than incurring interest costs by taking on debt.
<b>Water Fund</b>		
Operational	85,000	Same resolution as up above.
Designated Working Capital	68,000	Same resolution as up above.
Capital Projects	127,565	McKee said when we were talking about Randall Road and trying to determine available money, this is part of the money that would be used and he wanted to wait until after the audit before committing funds but we can see now that we have enough.
Short-Lived Asset Reserve	2,000	This is a requirement of our Rural Development loan.
RD Debt Reserve	5,400	This is a requirement of our Rural Development loan.
<b>Sewer</b>		
Operational	94,001	Same resolution as up above.
Designated Working Capital	75,000	Same resolution as up above.
Capital Projects	99,174	This can be used for capital projects, such as the Randall Road project.
DNR Plant Equipment Replacement	244,238	This is basically a rainy-day fund for items as previously defined by the DNR related to WWTP equipment. It can only be used for those items and if money is spent out of it, we have three years to replace those funds.
RD Debt Reserve	4,350	This is a requirement of our Rural Development loan.
WWTP Replacement	0	
<b>Garbage</b>	1,618	This is mostly a pass-through fund for receiving from the customers and then paying to the garbage company, with a little to cover the cost of administering the billing.
<b>Total</b>	<b>3,231,188</b>	

Raap clarified some of the McKee's points and also commented he didn't think it would be wise to bleed down the Capital Projects Fund too low because it is needed to pay for small projects, as it is much harder to get good financing packages for smaller cost projects.

Trustee Matt Mattoon asked for clarification on the state of the Village's finances and McKee's comment about being in a better place than we were 5 years ago. McKee stated our C.E.R. is in a much better state of being funded, but if you want to talk about the finances in general, it's a broader picture. You have to take a wholistic approach by looking at cash balances, the amount of debt, and the assets (the condition our infrastructure). McKee stated he's recently been trying to qualify the Village assets and yes, he thinks the overall financial picture of the Village is in better condition than it was five years ago.

President Raap said we had a motion at the last meeting and the wording was to approve the urbanization project of Randall Road but to do it without going into debt. Raap stated when you read the minutes from that meeting (1/31/23 Special Village Board meeting), you can see a couple of things were brought up about having a restrictive motion like that, questioning why it wasn't brought up in committee so there would have been a little more time with it. Raap

continued by saying you can also see from the information just presented that normally the Board has done resolutions in the past to outline their objectives to the staff - that seems to be the normal mechanism for doing financial planning. If someone had wanted to look at a resolution ahead of time, it seems like the time to do that would have been at the committee meeting. Raap stated the problem with the wording of the motion from the prior board meeting is that it will mean that we can't do the project, because the project involves costs that will be reimbursed by other parties (the Developer, the County, and through special assessments.) The Village is responsible to finance the whole project and pay bills before being reimbursed. We don't have enough cash on hand to cover all shares of the project. We will need bridge loans to do that and the motion as the way it stands now, does not allow for that. Raap stated the intent of the idea was good, but this is why we've said agenda items should be brought to committee and the committee should do the work of hashing out the points before it comes to the Board. This was new work that was not brought up at committee. Raap stated that he thinks we all agree that we have the funds to do our share of the project and that we want to do it, that there are incentives to do it with the Developer, but we need to clear up the motion from the prior meeting.

- MOTION (Raap/Mattoon) to reconsider the motion from 1/31/2023 and then talk about it and figure out another way to do this where it's not so rigid so it doesn't give us the management that we need to be able to do this project.

Trustee Karen Hurd addressed President Raap stating she thought what he was trying to do was set policy for the future. Raap responded he was referring more to the existing situation, that we know we want to do this project so let's clean up the motion from the prior meeting so the project isn't stopped. But if the Board wants to review our financial policies, we can send that topic to committee to work on resolutions that allow for direction while still providing the necessary flexibility to be able to do what needs to be done.

- MOTION (Mattoon/Hurd) to amend motion from the 1/31/2023 to allow flexibility for interim or bridge financing.

Trustee Chester Goodman stated we had a motion on the table that wasn't voted on. Mattoon retracted his motion.

The first motion made by Raap/Mattoon to reconsider the motion from the 1/31/23 meeting was voted on. PASSED, without negative vote.

- MOTION (Mattoon/Herbison) to amend the motion from the 1/31/2023 meeting to allow interim or bridge financing, but that there be no long-term debt for the Village's share of the project. PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes, Goodman-yes, Herbison-yes, Hurd-yes.
- Raap stated the motion from 1/31/2023 as amended above would read as follows and will be voted on: To approve the Randall Road urbanization project without any long-term debt for the Village's share but to allow the necessary interim or bridge financing. PASSED, roll call vote: Mattoon-yes, Raap-yes, Aylesworth-yes, Goodman-yes, Herbison-yes, Hurd-yes, Kaatz-yes.
- MOTION (Goodman/Kaatz) to refer to the Finance Committee the review of financial planning resolutions, such as long-term borrowing. PASSED, without negative vote.

### 13. New Business

#### A. Request for Variance of §6.1.5. Number of Dogs:

- MOTION (Hurd/Herbison) to approve the variance request of Greta Schreiner to allow a third dog at 128 S White Street, while she is residing there. The variance is for the dog she currently owns and remains in effect until she moves, or the dog perishes. If complaints are received, the variance will be reconsidered. PASSED, without negative vote.

#### B. Request for Variance of Hard-Surface Parking Ordinance: Raap gave an overview of the process for granting a variance saying it's important to stay consistent and not show favoritism to an individual but have parameters that you go off of to determine the granting or denial of a request. Mitch Barka was present and discussed his reasons for requesting a variance, along with providing documentation showing his neighbors were not in objection.

- MOTION (Herbison/Kaatz) to approve the variance request of Mitch Barka (463 S Liberty St) stating:
  - one non-motorized device (boat or snowmobile trailer depending on the season) will be allowed to be parked in the side yard on a non-hard surface area,
  - if there are complaints, the variance will be re-evaluated,
  - if Mr. Barka moves to a new location, the variance ceases.

PASSED, without negative vote.

#### C. Request for Variance of Non-Refundable Keller Park Contract: McKee reported the requestor paid to reserve the kitchen and pavilions at Keller Park for June of 2023, and a few days later requested canceling. As the contract states reservations are non-refundable, McKee stated he brought the matter before the Board for their consideration. McKee stated the cost was \$330 and we had no requests during that short time that we turned down because she had reserved the date so McKee recommended the money be refunded.

- MOTION (Kaatz/Aylesworth) to approve the variance request to refund kitchen and pavilion reservation fees to Lisa Shakal. PASSED, without negative vote.

#### D. Sign Permit in Downtown Business District @ 234 E Lincoln Ave: President Raap reported the Plan Commission reviewed and recommended approval of the permit.

- MOTION (Kaatz/Mattoon) to approve the sign permit in the Downtown Business District @ 234 E Lincoln Ave. PASSED, without negative vote.

#### E. Building Permit in Downtown Business District @ 234 E Lincoln Ave: President Raap reported the Plan Commission reviewed and recommended approved of the permit.

- MOTION (Mattoon/Hurd) to approve the building permit in the Downtown Business District @ 234 E Lincoln Ave. PASSED, without negative vote.

#### F. Commercial Garbage Hauler's License Application:

- MOTION (Mattoon/Kaatz) to approve the issuance of a commercial garbage hauler's license to GFL Solid Waste Midwest LLC for the remainder of the 2022/2023 licensing year. PASSED, without negative vote.

#### G. Bartender Operator License Application:

- MOTION (Kaatz/Hurd) to approve the issuance of a bartender/operator's license to Kylee Andre for the remainder of the 2022/2023 licensing year. PASSED, without negative vote.

#### H. PSC Meter Test Schedule: McKee reported on the requirements of the Public Service Commission for testing meters.

- MOTION (Mattoon/Kaatz) to change from certifying meters every 10 years to replacing them every 20 years. PASSED, without negative vote.
- MOTION (Hurd/ ) to set aside money each year to replace meters. There was no second to the motion.

The matter was referred to the Public Works, Public Safety & Property Committee to discuss long-term planning for replacement.

- I. Eau Claire EMS Service Agreement Update:** McKee reported it is expected the cost of our ambulance service will be increasing greatly when our new contract comes up. The City of Altoona is in the study phase and have contracted with a third party to see if there is a more economical solution. McKee will keep the Board informed.
- J. EMS in Fire District:** McKee reported the Fire District was formed in the way that allows for it to provide EMS services. We do have first responders and they are doing a wonderful job. Considering having the Fire District contract for ambulance services, rather than having individual municipalities contract, may be a conversation we might want to have.
- K. Fire Station Property:** Raap reported we discovered the land that the fire station sits on was never legally split by certified survey map because of a requirement in the funding package we had at the time. Raap stated it would be a good to clean this up now that we've realized it and it may be best to have some legal counsel to assist.
  - **MOTION (Kaatz/Mattoon)** authorizing Administrator McKee to seek legal counsel and preparation of a C.S.M. if it is determined that is the best way to clean this up. **PASSED**, roll call vote: Raap-yes, Aylesworth-yes, Goodman-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes.
- L. Property Owner Research on "Downtown Revitalization Legal Guidance":** Raap stated we should maybe start looking at blighted properties that are not being taken care of in the downtown district. There are some properties that have become in disrepair and are only being used for storage. The downtown area is not meant for that. Consensus of the Board was that some research should be done on our options.
- M. Keller Park Plan:** McKee stated we've talked about having pickleball at Keller Park and thinks that is a good idea. He recommended having a professional come up with some design concepts for the entire park to make sure everything is being thought of in a wholistic way.
  - **MOTION (Kaatz/Mattoon)** to seek an engineering concept for the park as described. **PASSED**, roll call vote: Aylesworth-yes, Goodman-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes.
- N. Question & Answer Open House:** Raap reported there have been comments regarding the water rate increase and felt it would be a good idea to offer an "open house" forum to the public as an opportunity to voice concerns and get questions answered. A survey was provided of how the Village compares to other municipalities our size. Consensus of the Board was that it was a good idea to offer an open house with the Administrator.

#### **14. Committee Recommendations**

- A. Keller Park Playground Equipment LWCR Grant Reapplication:** Hurd reported on the committee's recommendation that we put in the application again. Board consensus was that it was a good idea, and gave direction to fill out the paperwork and bring it in to the office for signatures.
- B. Formal Thank You to Green Bay Packers Foundation for the \$7,000 Grant:** Hurd requested a formal thank you be sent. The Board concurred.
- C. Not to Change Village Code Title 7 re: Health Department Inspections:** Hurd reported this matter was referred to committee because we had a couple complaints about an apartment complex in town with unsanitary conditions. Village Code states the complaint is made to the Village President, then is turned over to the County Health Department who inspects and makes recommendations. Hurd said the committee discussed it at length and didn't feel the ordinance needed to be changed. Raap stated he agreed with the process of calling in the County, and he doesn't have a problem receiving the complaints, but felt it would be more consistent with Village Code to reflect the process running through the Administrator who is responsible for day-to-day matters. Hurd stated that was a new idea that wasn't talked about in committee. Raap stated that when the matter was referred to committee at the last board meeting, that was talked about so he thought the committee would discuss it. He felt it was a

good idea to clean up the ordinance for consistency sake and that preparing a first reading would still allow two opportunities for discussion if someone felt there was something important to consider about this very small procedural change.

- MOTION (Mattoon/Kaatz) to draft a first reading to be held at the next regular board meeting. PASSED, roll call vote: Goodman-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Herbison-no, Hurd-no, Aylesworth-yes.

**15. Possible Assignment to Committee**

- A. Parking/Safety on Wisconsin in Front of School During Early Morning & Mid-Afternoon:** Referred to the Public Works, Public Safety & Property Committee.

**16. Adjournment:** 9:08 p.m.

Jared McKee, Administrator & Renee Roemhild, Clerk-Treasurer